



UNITED STATES PATENT AND TRADEMARK OFFICE

A

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,683	07/31/2003	Yi-Chen Chen	4423-0122P	7662

2292 7590 04/07/2005

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

KHAIRA, NAVNEET K

ART UNIT PAPER NUMBER

3754

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/630,683

Applicant(s)

CHEN, YI-CHEN

Examiner

Navneet Sonia Khaira

Art Unit

3754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejection under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Comstock et al (US 5, 183,182).

Referring to claim 1, Comstock et al further discloses a liquid soap dispenser (fig 5), a stationary base (24, fig 5) with several nail holes (fig 5 shows nail holes with nail on the four corners of the base), a main body (24) with a cover (67, fig 5), a fastener (56, fig 5) located on the bottom of the stationary base (bottom half of 24), a concave (cover 67, fig 5) located on top of the stationary base (bottom half of 24), a blocking board (seen in fig 1, top board above number 28) is on top of the concave (cover 67, fig 5), a hold hole (60, fig 5) locates on the concave (cover 67), the main body is in box shape (fig 1 defines box-like shape) with a "T" shape pillar on back (Fig 4, pillar 36 along with ends 44 and 46), a slot (slots above 72 in fig 7 which shows the back portion once cartridges are removed) is on the lower portion of the back (fig 7) of the main body (24), a protruding rib 62, fig 5) located on the back of the cover (fig 4, above 48), a

Art Unit: 3754

blocking brim (fig 5, surface on which 67 & 24point) surrounds the cover (67), a lock hole (fig 5, 60 located on the front of the blocking brim (fig 5, surface on which 67 & 24point), Comstock et al discloses, an alternative embodiment can have a lock with a key instead of snap lock feature (col 2, lines 50-55).

Referring to claim 2, Comstock et al further discloses a protruding hook (lower end of latch 60, fig 5) located on the lower portion of the cover (67, fig 5) for the protruding rib (56) to insert into.

Referring to claim 3, Comstock et al further discloses an open (78, fig 5) located on top of the holding hole (56, fig 5) on the stationary base (bottom part 24)

Referring to claim 4, Comstock et al further discloses a spring shape tenon (fig 10) located on top of the fastener (56, fig 5) on the stationary base (bottom part 24).

Referring to claim 5, Comstock et al further discloses a concave area (67, fig 5) being on the center of the stationary base (bottom half of 24, fig 5), the nail holes are on the concave area.

Referring to claim 6, Comstock et al further discloses an inner brim (surface 26, Fig 5) located on the top of the main body (bottom half of 24, fig 5) to fit the inner cover (67).

Citation of Related Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lewis et al (US 2002/0084288), von Buelow et al (US 4,493,440), Copeland et al (US 6,209,184), and Wade et al (US 6,131,773) references also soap dispensers.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Navneet Sonia Khaira whose telephone number is 571-272-7142. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mar Y. Michael can be reached on 571-272-4906. The fax phone number for the organization where this application or proceeding is assigned is 571-273-7142.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Navneet Sonia Khaira

Application/Control Number: 10/630,683
Art Unit: 3754

Page 5



Examiner
Art Unit 3754

NK



MICHAEL MAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700